

SEP 3 3 20 PM '99

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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)

The Petition of the New **York** Telephone
Company for a Declaratory Ruling with
Respect to the Physically Intrastate Private
Line and Special Access Channels Utilized
for New **York** State Lottery Communications)

CC Docket Nos. 78-72 and
80-286

ORDER

Adopted: September 2, 1999

Release-. September-, 1999

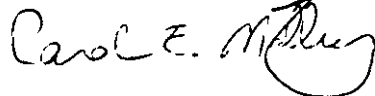
By the Chief, Policy and Program Planning Division, Common Carrier Bureau:

1. On March 21, 1990, the New York State Division of the Lottery (Lottery Division) sought reconsideration of the Commission's Memorandum Opinion and Order in the above-captioned proceeding (*New York Lottery Decision*, 5 FCC Rcd 1080, rel. Feb. 21, 1990). On August 26, 1999, the Lottery Division filed a motion to withdraw its petition for reconsideration, stating that changes in the telecommunication industry and in its own organization since the petition was filed have rendered the *New York Lottery Decision* and the subsequent petition for reconsideration irrelevant. We will grant the Lottery Division's motion to withdraw.

2. Accordingly, IT IS ORDERED that the New **York** State Division of the Lottery motion to withdraw IS GRANTED.

3. IT IS FURTHER ORDERED that the above-captioned proceeding IS TERMINATED.

Carol E. Matthey, Chief



Federal Communications Commission